

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEW JERSEY CARPENTERS HEALTH FUND,  
*on Behalf of Itself and All Others Similarly  
Situated,*

Plaintiff,

v.

NOVASTAR MORTGAGE, INC., NOVASTAR  
MORTGAGE FUNDING CORPORATION,  
SCOTT F. HARTMAN, GREGORY S. METZ,  
W. LANCE ANDERSON, MARK HERPICH,  
RBS SECURITIES, INC. f/k/a GREENWICH  
CAPITAL MARKETS, INC., d/b/a RBS  
GREENWICH CAPITAL, DEUTSCHE BANK  
SECURITIES, INC., WELLS FARGO  
ADVISORS, LLC f/k/a WACHOVIA  
SECURITIES LLC, MOODY'S INVESTORS  
SERVICES, INC. and THE MCGRAW-HILL  
COMPANIES, INC.,

Defendants.

**Case No.: 08-CV-5310 (DAB)**

**ECF CASE**

**CLASS ACTION**

**NOTICE OF APPEAL**

Notice is hereby given that New Jersey Carpenters Health Fund, Lead Plaintiff in the above-captioned case, on behalf of itself and all others similarly situated, hereby appeals to the United States Court of Appeals for the Second Circuit from: (a) Order and Memorandum dismissing plaintiff's amended complaint with leave to amend (docket entry #116, entered on March 31, 2011) and (b) Order and Memorandum dismissing with prejudice plaintiff's Second Amended Complaint (docket entry #135, entered on March 29, 2012) and (c) the Judgment (docket entry #136, entered on March 29, 2012).

Dated: New York, New York  
April 25, 2012

Respectfully submitted,

**COHEN MILSTEIN SELLERS  
& TOLL PLLC**

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